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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,603	06/27/2003	Paul Savage	70021171-1	2258
7590 01/09/2006			EXAMINER	
AGILENT TECHNOLOGIES, INC. Legal Department, DL429 Intellectual Property Administration P.O. Box 7599 Loveland, CO 80537-0599			DOAN, NGHIA M	
			ART UNIT	PAPER NUMBER
			2825	
DATE MAILED: 01/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/608,603

Applicant(s)

SAVAGE, PAUL

Examiner

Nghia M. Doan

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/14/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 7-12 and 16-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-12 and 16-30 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. Responsive to communication application 10/608,603 filed on 06/27/2003 and Applicant Amended filed on 11/14/2005, claims 1-3, 7-12 and 16-30 are pending.

Claims 1-3, 7-12, and 16-19 have been amended.

Claims 4-6 and 13-15 have been cancelled.

Claims 20-30 have been added.

2. Applicant's arguments filed 11/14/2005, with respect to the rejection under 35 U.S.C. 102(e) by Gallezot et al. have been fully considered and are persuasive. The Applicant argument overcomes the Gallezot's reference.

3. Applicant's arguments filed 11/14/2005, with respect to the rejection under 35 U.S.C. 102(e) by Schuzukin have been fully considered but they are not persuasive. The rejection under 35 U.S.C. 102(e) by Schuzukin to claims 1-3 is maintained.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Schzukin (US 6,442,747).**

6. **With respect to claim 1**, Schzukin discloses a method of creating a logical device performing polynomial division (abstract), comprising:

(a) using a hardware description language to build generic code directly describing synthesizable logic for performing the polynomial division (fig. 2, step 36 and col. 2, ll. 7-11); and

(b) implementing the logic on a target device (col. 3, ll. 34-36 and ll. 49-51), wherein the generic code receives as inputs a parameter identifying a polynomial and a parameter identifying a number of data bits for which the polynomial division is performed (fig. 1, col. 3, ll. 42-53 and col. 2, ll. 36-52).

7. **With respect to claim 2**, Schzukin discloses the method according to claim 1 wherein the logical device is used in a cyclic redundancy checker (col. 1, ll. 18-22 -- cyclic redundancy code is a detector (checker) for checking error and may performing calculated to reduce number of gate in a circuit--)

8. **With respect to claim 3**, Schzukin discloses the method according to claim 1 wherein the target device includes a suitable logic device (complexity circuit) on which the logic may be implemented (col. 2, ll. 9-11).

#### ***Allowable Subject Matter***

9. Claims 7-12 and 16-30 are allowed.

10. The following is a statement of reasons for the indication of allowable subject matter: Reason for allowance was provided in non-final office action mailed 08/12/2005.

***Response to Argument***

11. Applicant's arguments filed 11/14/2005 have been fully considered but they are not persuasive. The rejections to claims 1-3 have been maintained.

**In the remarks section on pages 11-13, applicant argues in substance.**

12. With respect to the 35 U.S.C 102(e) rejections for claims 1-3, Applicant states "Schuzukin's reference fails to disclose a method in which a hardware description language (HDL), is used to build code directly describing synthesizable logic for performing polynomial division".

13. Examiner respectfully does not agree:

As already cited in the first office action Schuzukin discloses at col. 2, ll. 4-11, generating a Hardware Description Language (HDL) that is used to synthesizing a circuit such as a CRC generator circuit that performs polynomial division (col. 1, ll. 23-25, and see also col. 2, ll. 36-40).

Applicant amends the claims by inserting the term "generic". However, this addition does nothing to distinguish the claim over the prior art of Schuzukin. Hardware Description Language (HDL) is considered generic code that describes the circuit behavior. Applicant's specification uses the term "generic" loosely. A "generic" HDL code is used to describe the behavior of a specific CRC calculating device (Applicants specification, page 6, lines 28-29). Schuzukin at col. 2, lines 4-8 discloses that generation of HDL that describes a CRC generator circuit, which reads on applicant's claim language as CRC generator performs polynomial division.

***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

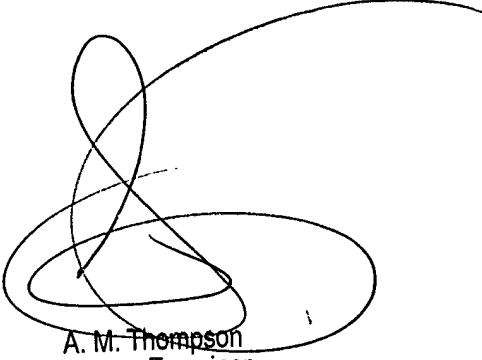
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghia M. Doan whose telephone number is 571-272-5973. The examiner can normally be reached on 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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